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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 6416/2024**

RAJAT KHERA & ORS.

.....Petitioners

Through: Mr. Jitesh Sharma, (D-2668/2015)
Advocate with Petitioners-in-person

versus

THE STATE (GNCTD) & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Radha Kanwar (D-5672), PS
Maurya Enclave.
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
21.08.2024

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1. The Petitioners have approached this Court for quashing FIR No.352/2018 dated 21.09.2018 registered at Police Station Maurya Enclave for offences under Sections 498A, 406 & 34 IPC on the ground that the parties have entered into an amicable settlement. The present proceedings arise out of matrimonial disputes between the parties.

2. The principal ground on which the present petition has been filed is that the parties have amicably resolved their disputes by a settlement agreement dated 22.11.2023 before the Counselling Cell, Family Court, Tis Hazari, New Delhi. As per the settlement agreement, the Petitioner No.1/husband has agreed to pay a sum of Rs.7,50,000/- to Respondent



No.2/Complainant towards full and final settlement of all her claims in the following manner:-

- a. A sum of Rs.2,50,000/- was to be paid at the time of recording of the statement of first motion.
 - b. A sum of Rs.2,50,000/- was to be paid at the time of recording of the statement of second motion.
 - c. Remaining Rs.2,50,000/- was to be paid at the time of quashing of the instant FIR.
3. Petitioners No.1 & 2 and Respondent No.2/Complainant are present in Court today. Petitioners No.3 and 4 have joined the proceedings through video conferencing. The parties have been identified by their respective Counsels and the Investigating Officer. Respondent No.2/Complainant has also filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. She states that she has received the entire amount and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence.
4. Considering the fact that the dispute is a matrimonial dispute and the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.352/2018 dated 21.09.2018 registered at Police Station Maurya Enclave for offences under Sections 498A, 406 & 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by



the terms of the settlement and the undertaking given to the Court.

5. Petitioner No.4 herein, has joined the proceedings through video-conferencing. She is busy speaking over the telephone while attending the court proceedings. This conduct of the Petitioner is not acceptable. In view that, Petitioner No.4 is directed to deposit costs of Rs.20,000/- with the *Armed Forces Battle Casualties Welfare Fund* within two weeks from today. Let a copy of the receipt regarding deposit of the costs be filed before the Registry of this Court within a week thereafter to show compliance of the order passed by the Court.

6. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 21, 2024

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